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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,510	02/18/2004	Willem L. Repko	23467	2965
24932 7590 08/16/2007 LAUBSCHER & LAUBSCHER, P.C. 1160 SPA ROAD SUITE 2B ANNAPOLIS, MD 21403			EXAMINER RUSSELL, WANDA Z	
			ART UNIT 2616	PAPER NUMBER
			MAIL DATE 08/16/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/781,510	Applicant(s) REPKO ET AL.	
	Examiner Wanda Z. Russell	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 2/18/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08) ✓
Paper No(s)/Mail Date See Continuation Sheet.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

Continuation of Attachment(s) 3. Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :5/14/2004, 8/25/2004, 10/11/2006.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-5** are rejected under 35 U.S.C. 102(e) as being anticipated by Hadzic et al. (Pub No. US 2004/0062278 A1).

For **claim 1**, Hadzic et al. teach a method of aligning clocks (synchronization, Title) over multiple networks ([0023], line 4) having different clock domains ([0178], line 6), comprising:

transmitting timestamped packets ([0024], line 12) over said networks ([0024], line 4) between source (102-Fig. 1) and destination (120-Fig. 1) nodes (Fig. 1), said timestamped packets conveying timing information ([0024], lines 12-13) based on a source clock (108-Fig. 1) at said source node;

determining (calculate, [0024], line 12) the expected delay (phase or frequency error, [0024], lines 12-13) over multiple nodes (Fig. 1) for a given traffic density ([0024], last 2 lines);

identifying at least one intermediate node (116-Fig. 1) between said source and destination node where said determined expected delay is such as to permit clock

restoration ([0056], lines 9-10) within predefined acceptable parameters ([0056], lines 5-10);

restoring (reconstructed, [0056], line 9) said source clock at said at least one intermediate restoration node to generate a restored intermediate clock signal (clock information, [0056], line 7);

producing ([0088], line 17) from said restored intermediate clock signal ([0088], lines 16-18) new timestamped packets ([0091], lines 7-8) conveying timing information based on said restored intermediate clock signal (clock information, [0056], line 7); and forwarding said new timestamped packets to said destination node (Fig. 1).

For **claim 2**, Hadzic et al. teach a method as claimed in claim 1, wherein said source clock is restored at said restoration points by physical clock restoration using a phase locked loop ([0025], line 5).

For **claim 3**, Hadzic et al. teach a method as claimed in claim 1, wherein said source clock is restored at said restoration points by numerical (digital, [0089], line 9 & lines 8-10) techniques.

For **claim 4**, Hadzic et al. teach a method as claimed in claim 1, wherein said source clock is restored at said restoration points by a combination of a physical restoration and a numerical technique (digital PLL, [0102], line 15).

For **claim 5**, Hadzic et al. teach a method as claimed in claim 1, wherein each restoration has a HOLDOVER functionality as part of the restoration ([0027], 2nd line from the end).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wanda Z. Russell whose telephone number is (571) 270-1796. The examiner can normally be reached on Monday-Thursday 9:00-6:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

WZR



Seema S. Rao
8/10/02

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